

N4C Conflict of Interest

Purpose of Policy

Norman Creek Catchment Coordinating Committee (N4C) is committed to providing an open and transparent organisation that is focused on improving and maintaining local waterways by protecting and rejuvenating the local ecosystem. N4C recognises its responsibility to

- Remain apolitical, performing its functions in an impartial and professional manner
- Always focusing on the best interest of the organisation when making decisions.
- Adhere to the high ethical standards expected of a not-for-profit organisation serving the community.

The purpose of this policy is to help committee members of N4C to effectively identify, disclose and manage any actual, potential or perceived conflicts of interest in order to protect the integrity of N4C and manage risk.

Scope

This policy aims to mitigate the risks associated with actual, perceived and potential conflicts of interest in relation to members of Norman Creek Catchment Coordinating Committee.

Objective

This policy has been developed to ensure that committee members, and members acting on behalf of N4C, are aware of their obligation to disclose any conflicts of interest that they may have, and to comply with this policy to ensure they effectively manage those conflicts of interest as representatives of N4C.

Conflict of interest are common, and they do not need to present a problem to the organisation as long as they are openly and effectively managed.

N4C will manage conflicts of interest by requiring members acting on behalf of N4C to:

- avoid conflicts of interest where possible
- identify and disclose any conflicts of interest
- carefully manage any conflicts of interest, and
- follow this policy and respond to any breaches.

Responsibility of the Committee

The Committee is responsible for:

- establishing a system for identifying, disclosing and managing conflicts of interest across the organisation
- monitoring compliance with this policy, and
- reviewing this policy on an annual basis to ensure that the policy is operating effectively.

Types of Conflict

A conflict of interest involves:

- A **perceived conflict** where it could reasonably be perceived, or give the appearance, that a competing interest or obligation, whether personal or involving a third party, could improperly influence the performance of a member's duties and responsibilities to the N4C.
- A **potential conflict of interest** where a staff member has an interest or obligation, whether personal or involving a third party, that could conflict with the member's duties and responsibilities to the N4C.
- An **actual conflict** where a staff member has a competing interest or obligation, whether personal or involving a third party, that directly conflicts with the member's duties and responsibilities to the N4C

A Col situation arises when the "private interests" of a member compete or conflict with the interests of N4C, which may easily lead to a decision against the best interest of the organisation. Private interests include financial and other interests of a committee member, and/or their connections including family and other relations, personal friends, the clubs and societies to which they belong. Examples are listed below, but this is not an exhaustive list.

- Decisions regarding suppliers, customers and other persons in respect of the selection and/or ongoing dealings related to doing or seeking to do business with N4C;
- Holding positions on boards, shareholdings or ownership of other companies, organisations or businesses or membership with an organisation that comes into serious competition with N4C or its organisational goals;
- Close personal relationships with other Interested Persons when negotiating a transaction or arrangement;
- Acceptance of benefits (gifts, entertainment, travel, accommodation expenses etc.) for personal gain;

Disclosing and managing a conflict of interest

All conflicts must be declared and have a management or mitigation plan in place commensurate with the actual or perceived risk. Even if the risk is very remote and no mitigating action is considered necessary, the declared Coi and related decision with justifications should be properly recorded in the **General Committee** meeting minutes.

When considering whether a conflict of interest exists, the following should be considered:

- whether the interest, relationship or obligation is consistent with community values, standards and behaviours.
- how the interest, relationship or obligation might be viewed or perceived by other people; and
- whether the interest, relationship or obligation may compromise their ability to exercise impartial leadership, management or judgment.

Examples of risk mitigation might include:

- Request the member abstain from voting or contributing in any way to discussion (this should be considered at a minimum); or

- Asking the conflicted member to recuse themselves while the item of business is being discussed and voted upon; or
- In exceptional circumstances, where the conflict is very significant or likely to prevent a member from regularly participating in discussions, it may be worth considering whether resignation is appropriate. This is usually reserved for formal committee members only.

Ultimately it is the committee’s responsibility to determine whether there is an actual or perceived conflict and whether

- the conflict needs to be avoided or simply documented
- the conflict will realistically impair the disclosing person’s capacity to impartially participate in decision-making
- there are alternative options to avoid the conflict
- it conflicts with the organisation’s objectives and resources, and
- it creates the appearance of improper conduct that might impair confidence in, or the reputation of, the organisation.

Duty to disclose

All N4C committee members have a duty to disclose any perceived, actual or potential conflicts of interest.

Breach of conflict-of-interest policy

If there is reason to believe a member has failed to disclose actual or possible conflict of interest, the President (or delegate) shall inform the member of the basis for such belief and afford her/him an opportunity to explain the alleged failure to disclose.

If after hearing the committee member’s response and after making further investigation as warranted by the circumstances, the matter will be reviewed at a General Committee meeting where it shall be determined whether the member has failed to disclose an actual or possible conflict of interest. Appropriate disciplinary and corrective action could include, but is not limited to, revocation of position and cancellation of membership, to be determined on a case-by-case basis.

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Review Responsibility: Management Committee	Approved by: Management Committee

Declaration form

Name

Position

What type of conflict are you declaring?

- A perceived conflict
- An actual conflict
- A potential conflict.

Describe the perceived/actual or potential conflict of interest and how it may impact your ability to carry out, or be seen to carry out the duties of your role.

Committee to complete

Describe the measure undertaken to manage or mitigate this risk.

Date of General Meeting where this was discussed and recorded